APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,174	11/29/2001	Michael Horn	112740-355	1241

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EXAMINER
NGUYEN, KIMBERLY D

ART UNIT	PAPER NUMBER
2876	

DATE MAILED: 07/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/980,174	HORN ET AL.
	Examiner	**Art Unit**
	Kimberly D. Nguyen	2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 November 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *16-31* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *16-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

Prelim. Amendment/Amendment

1.   Receipt is acknowledged of Preliminary Amendment filed 29 November 2001.

Claim Objections

2.   Claims 16-17 are objected to because of the following informalities:

- Claim 16, line 2: "the service user" lacks of antecedent basis and should be changed to "a service user".

- Claim 16, line 4: "the holder" lacks of antecedent basis and should be changed to "a holder".

- Claim 17, line 5: "and a telecommunication network" (following "the data and telecommunication network") should be deleted.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 16-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Teicher (US 5,744,787).

Re claim 16: Teicher teaches a data transfer method for topping-up/replenish a prepaid electronic credit associated with a service user/customer over a data and telecommunication network, essentially in real time, the method comprising the steps of:

defining the service user as a holder of a first electronic settlement account (i.e., the customer's account; col. 9, lines 9-30);

defining a service operator as the holder of a second electronic settlement account (i.e., the account of the merchant 11; col. 9, lines 16-20);

transmitting a transfer signal from a terminal of the service user; and

increasing the prepaid electronic credit (i.e., a charge amount electronically transferred/replenished to the electronic purse 310; col. 10, lines 20-32), in response to the transfer signal, by a predetermined electronic sum of money and, at the same time, transferring the sum of money from the first electronic settlement account to the second electronic settlement account (figs. 1-2; col. 1, line 60 through col. 2, line 44; col. 3, lines 9-65; col. 7, line 37 through col. 10, line 44).

Re claim 17: Teicher teaches a data transfer method further comprising the steps of:

managing (i.e., controlling/selecting) the prepaid electronic credit (i.e., minimal checkbook payment sum, purse replenished with maximum balance, etc.; fig. 5, col. 11, lines 6-22) on a credit management server (i.e., central accounts are maintained by the respective financial institution 20A-20K; col. 7, line 65 through col. 8, line 3; which is inherently, the financial institution 20A-20K serves-as/has the credit management server) in one of the data and telecommunication network connected thereto;

managing (i.e., controlling/selecting) the settlement account (i.e., central accounts) on an account management server (i.e., central accounts are maintained by the respective financial institution 20A-20K; col. 7, line 65 through col. 8, line 3; which is inherently, the financial

institution 20A-20K serves-as/has the account management server) in the data and
telecommunication network; and

implementing a piece of money transfer software on an application server in the data and
telecommunication network (i.e., batch processing and/or protocols for transferring electronic
cash to electronic purse; col. 8, lines 6-16; col. 10, lines 33-40; which inherently the system
implements a piece of software on the application server for money transfer/transaction).

Re claim 18: Teicher teaches a data transfer method further comprising the steps of:

setting up a connection to the application server via the terminal of the service user
(setting up a connection to the application server via the terminal of the service user is inherent
step of Teicher's teachings i.e., to interface a payment unit with the electronic wallet and
communicate with the point of sale; col. 4, lines 18-21; col. 9, lines 35-45);

using the terminal to transfer to the application server at least one of an authentication
code (PIN) and a credit identifier for the prepaid credit, an account identifier (i.e., account ID in
fig. 12) for the settlement account, and the predetermined electronic sum of money (i.e.,
purchase sum; figs. 3 and 12; col. 9, lines 46-54; col. 20, lines 19-51);

checking, via the application server, the transmitted data and the sufficiency of the
predetermined sum of money (i.e., purchase sum) in the settlement account (fig. 12; col. 9, lines
9-30; col. 20, lines 19-51);

debiting, if the result of the check is positive, the predetermined sum of money (i.e.,
purchase sum) from the first settlement account (i.e., to reduce the amount of electronic cash
stored in register 311 by the purchase sum; figs. 3 and 8; col. 9, lines 9-30; col. 14, line 50
through col. 15, line 53);

crediting the predetermined sum of money to the second settlement account (fig. 3; col. 9, lines 9-30);

increasing the prepaid credit by the predetermined sum of money (fig. 3; col. 9, lines 9-30); and

creating a log record for the debit/credit operation (i.e., transaction date, balance and updated value are recorded; fig. 14A; col. 21, lines 18-35).

Re claim 19: Teicher teaches a data transfer method further comprising the steps of:

transmitting, via the application server, an acknowledgement signal to the terminal of the service user when the transaction has been performed (col. 9, lines 21-30; col. 12, lines 23-36).

Re claims 20-21: Teicher teaches a data transfer method further comprising the steps of:

automatically setting up a connection, to check the credit identifier, between the application server and the credit management server; and

automatically setting up a connection, to check the account identifier of the settlement account, between the application server and the account management server (col. 4, lines 14-24; col. 9, lines 46-54).

Re claims 22-24: Teicher teaches a data transfer method, wherein a first user is the holder of the prepaid electronic credit, a second service user is the holder of the first electronic settlement account, and the credit of the first service user is increased by the electronic sum of money in response to a transfer signal from a terminal associated with the second service user (col. 9, lines 9-54).

Re claims 25-31: Teicher teaches a data transfer system for topping up a prepaid electronic credit of a service user over a data and telecommunication network, essentially in real time, comprising:

a credit counter (i.e., to track minimal checkbook payment sum, balance, and replenishment sum, etc.; fig. 5, col. 11, lines 6-37), managed on a credit management server (i.e., central accounts are maintained by the respective financial institution 20A-20K; col. 7, line 65 through col. 8, line 3; which is inherently, the financial institution 20A-20K serves-as/has the account management server), for storing the electronic credit (col. 7, line 65 through col. 8, line 3);

first and second settlement account memories on at least one account management server (i.e., central accounts are stored and maintained by the respective financial institution 20A-20K; col. 7, line 65 through col. 8, line 3; which is inherently, the financial institution 20A-20K has memory/memories for storing account information);

money transfer software, implemented on an application server, for electronically transferring money from the settlement account memories to the credit memory (i.e., batch processing and/or protocols for transferring electronic cash to electronic purse; col. 8, lines 6-16; col. 10, lines 33-40; which inherently the system has implemented a piece of software on the application server for money transfer/transaction);

a service user terminal connected to the data and telecommunication network for entering and transmitting data required for topping up the credit to the application server (figs. 3-4; col. 9, lines 9-54); and

a data link between the application server, the credit management server, the account

management server and the terminal for performing the data transfers which tops up the credit

(figs. 1-4; col. 1, line 60 through col. 2, line 44; col. 3, lines 9-65; col. 7, line 37 through col. 10,

line 44).

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. Hogan (US 5,557,516) teaches System and method for conducting cashless

transactions. Bruno et al. (US 5,991,380) teaches Universal telecommunications services

account. Klingman (US 5,729,594) teaches Online secured financial transaction system through

electronic media.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kimberly D. Nguyen whose telephone number is 703-305-1798.

The examiner can normally be reached on Monday-Friday 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Michael G. Lee can be reached on 703-305-3503. The fax phone numbers for the

organization where this application or proceeding is assigned are 703-305-1341 for regular

communications and 703-305-1341 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-308-8792.

KDN
July 9, 2003

MICHAEL G. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800